



PATENT
Docket No.: 2263/101

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Jerry L. Toms

Serial No. : 09/920,230

Cnfrm. No. : 5306

Filed : August 1, 2001

For : DEVICE AND SYSTEM FOR USE IN
IMAGING PARTICULATE MATTER

Examiner: *#12*
Eichon
212-DB
Joseph Valenza

Art Unit:
3651

RESPONSE TO ELECTION OF SPECIES

U.S. Patent and Trademark Office
P.O. Box 2327
Arlington, VA 22202

Dear Sir:

In response to the October 9, 2002 and November 19, 2002, office actions, applicant hereby elects, with traverse, the species illustrated in Figure 2. Claims reading on the elected species include claims 1-7 and 10. Applicant hereby traverses the election requirement as between the species illustrated in Figures 2 and 4, because claims 1-5, 7, and 10 are generic to both species. Therefore, any search conducted on the elected species (of Figure 2) would necessarily overlap with any search conducted for the species of Figure 4. (If the requirement for election as between the species of Figures 2 and 4 is withdrawn, then all of claims 1-10 will read on these two species, with claims 1-5 and 8-10 reading on the species of Figure 4.)

Respectfully submitted,

Date: February 3, 2003

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